



# CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

## Brunswick Ethics Commission Minutes September 19, 2007

**Commission Members Present:** Chair Jamie Eshbaugh, Vice Chair Carroll Haugh, Jerry Bonanno, Douglas O'Rear, and Frank Fortkamp

**Mayor & Council Present:**

**Staff Present:** City P & Z Administrator Rick Stup, Staff Liaison; and Paul Rose, City Attorney

Chairperson Eshbaugh called the meeting to order at 7:00 PM.

### **Minutes**

The minutes of the October 18, 2006 meeting were reviewed and approved. (Motion by Dr. Fortkamp and seconded by Mr. Haugh unanimously passed.)

### **Chair:**

Ms. Eshbaugh welcomed the new members to the Commission.

### **Old Business:**

Mr. Stup officially announced the Election of Officers that occurred by e-mail and previously distributed as part of the August 15 Agenda Package.

Mr. Stup reviewed the Commission Contact information with the Commissioners for accuracy.

### **New Business:**

**“Closed Session” for applicant questioning and deliberation of facts.**

Motion made by Dr. Fortkamp to go into Closed Session under the Maryland Open Meetings Law to discuss the Request; Mr. Haugh seconded the motion and unanimously passed.

**New Business Cont.**

**Request for Advisory Opinion**  
Hearing of Request for Advisory Opinion

Mr. Stup presented the application and identified the documents in the Agenda Package.

**Case No. BR-AO-07-01**

**Examination of Requests and Testimony.**

The Commission examined the Request for an Advisory Opinion with regard to Ordinance 439, Article 3 Code of Ethics, Title 2 Prohibitions, Section 2-3201 Conflicts of Interest, and asked questions of the applicant. The applicant explained the circumstance and the request, and answered questions from the Commission and City Attorney.

Messrs. Rose and Stup answered various questions.

Upon completion of the questioning by the Commission, the applicant was excused, and the proceedings went off the record for deliberation.

Chair Eshbaugh reconvened the meeting after the Closed Session. Mr. Stup was asked to restate the results of the deliberation during the Closed Session.

**Decision**

Dr. Fortkamp made a motion to find that the situation described in Request for Advisory Opinion BR-AO-07-01 was not in violation of Ordinance 439, Article 3 Code of Ethics, Title 2 Prohibitions, Section 2-3201 Conflicts of Interest, based on testimony from the applicant and deliberation by the Commission, but there appeared to be the potential for future conflicts with regard to Section 2-3201, g1, h, and h3; Mr. O'Rear seconded the motion.

**VOTE:   Yea   5   Nay   0**

The City Attorney was instructed by the commission to include in the Advisory Opinion a brief explanation of the Opinion, and guidance language with regard to the potential future conflicts to the Advisory Opinion.

**2008 Meeting Schedule**

Mr. Stup reviewed the 2008 Meeting Schedule and answered questions.

The 2008 Meeting Schedule was approved by consensus of the Commission.

**Ethics Commission Minutes**  
**September 19, 2007**  
**Page 3 of 3**

**Commission Comments:**

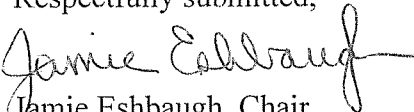
Mr. Stup requested guidance from the Commission with regard to the Annual Financial Disclosure process, since there were two new members. After discussion, Staff was instructed to utilize the same procedure to process the Annual Financial Reports as last year rather than the Commission Meeting just to review the Reports.

Mr. Stup reminded the Commission that the next meeting is scheduled for October 19, 2007. However, there currently aren't any items for the Agenda, and unless a Request for Advisory Opinion or Complaint is received, there is no reason to meet in October. If an October Meeting is held, Mr. Love will provide Staff Support since Mr. Stup will be on Leave.

**Adjournment**

The meeting was adjourned at 7:48 PM.

Respectfully submitted,

  
Jamie Eshbaugh, Chair  
Brunswick Ethics Commission